

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

**Jun 26 2020**

S.C. SUPREME COURT

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Certiorari to Charleston County  
Deadra L. Jefferson, Post-Conviction Relief Judge  
Roger M. Young, Sr., Trial Judge

\_\_\_\_\_  
Appellate Case No. 2019-001193  
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TERRELL L. MCCOY, SCDC #256070,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

\_\_\_\_\_  
**MOTION TO STRIKE**  
\_\_\_\_\_

The State files this motion to strike under Rule 240(a), SCACR, and asks this Court to strike the erroneous reference contained in Petitioner's Petition for Writ of Certiorari indicating PCR counsel Rodney Davis was sanctioned by the South Carolina Disciplinary Counsel Board for failing to communicate with Petitioner and failing to amend Petitioner's application.

**MEMORANDUM IN SUPPORT OF MOTION TO STRIKE**

Petitioner's Petition for Writ of Certiorari erroneous indicates PCR counsel Rodney Davis was sanctioned by the South Carolina Disciplinary Counsel Board. Respondent has found

no record of any such sanction and does not believe such a sanction exists. Petitioner has not included any basis or record in support of this claim and does so to the detriment of Mr. Davis' reputation. Reference to this misstatement of fact should be stricken from Petitioner's Petition for Writ of Certiorari.

### **CONCLUSION**

This Court should order the erroneous reference to PCR counsel Rodney Davis being sanctioned for his representation of Petitioner be stricken from the Petition for Writ of Certiorari.

Respectfully submitted,

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Attorney General

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June 26, 2020.